

Arguments and Remarks35 USC 112

Applicants request amendment of Claims 5, 25, 26, 27 and 39 to address the concerns cited by the Examiner. Applicants respectfully request entry of these amendments to correct obvious errors, wherein Applicants maintain that no new matter is added by such corrections. In light of the amendments to the claims, Applicants maintain that the rejections under 35 USC 112 are now moot and may properly be withdrawn.

35 USC 102

Applicants request amendment of Claim 1 to incorporate the limitations to the “A” variable set forth in claims 4, 9, 12, and 22. Applicants maintain that the amendments to the limitations on the A variable are simple incorporation from dependent claims, and thereby introduce no new matter. Applicants respectfully request entry of the amendments.

Applicants amended the “A” substituent to limit it to those set forth in the dependent claims which the Examiner indicated would be allowable if such claims depended from an allowable claim. In light of the amendment to the claim, Applicants maintain that the rejection under 35 USC 102 is now moot, as the claims in no way, even generically, embrace the cited reference. Applicants request entry of the amendments and withdrawal of the rejection under 35 USC 102.

Remarks

Applicants request entry of the amendments, and reconsideration in light of the amendments to the claims. Applicants maintain that the amended claims address each of the Examiner’s rejections and objections. As such, Applicants believe that the claims are in condition for allowance, and all rejections may properly be withdrawn.

Applicants request prompt consideration, and passage of allowable claims to issuance. Applicants request that the Examiner contact the undersigned attorney regarding any matters that may facilitate the prosecution of this application.

Respectfully submitted,

/MaCharri Vorndran-Jones/

MaCharri Vorndran-Jones
Attorney for Applicant(s)
Registration No. 36,711
Phone: 317-276-1665

Eli Lilly and Company
Patent Division
P.O. Box 6288
Indianapolis, Indiana 46206-6288

July 23, 2009